

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

EMANUEL PANOUSOS, a/k/a "MIKE
PANOUSOS"

Defendant

) Criminal No.

) Violations:

) Counts One and Two:

) Aiding and Assisting in

) the Preparation of a False Tax Return

) (26 U.S.C. § 7206(2))

19cr10128

U.S. DISTRICT COURT
DISTRICT OF MASS.

2019 APR 22 PM 4:27

FILED
IN CLERKS OFFICE

INFORMATION

At all times relevant to this Information:

General Allegations

1. The defendant, EMANUEL PANOUSOS, aka MIKE PANOUSOS ("PANOUSOS"), was a resident of Massachusetts.
2. Gios Foods, LLC ("Gios") was a Massachusetts limited liability company. Gios operated a restaurant in North Reading, Massachusetts that specialized in roast beef sandwiches and pizza. Gios was located at 6 Washington Street in North Reading, Massachusetts, and did business using the name "Mike's Famous Roast Beef and Pizza."
3. PANOUSOS was the manager of Mike's Famous Roast Beef and Pizza, and was a 50% owner of Gios.
4. For the tax years 2013 through 2015, PANOUSOS employed a tax preparer to prepare Gios' corporate tax returns, as well as PANOUSOS's personal returns.
5. Federal tax law permits limited liability companies such as Gios to be treated as S-Corporations, which means that its profits and losses are passed through to its shareholders, who

are then taxed at the rates applicable to their individual income tax returns. For tax years 2013 through 2015, Gios elected S-Corporation status and its income and expenses were reported on an Internal Revenue Service (“IRS”) Form 1120S (“U.S. Income Tax Return for an S Corporation”).

The False Tax Returns

6. Beginning no later than 2013 and continuing until at least August 15, 2016, PANOUSOS underreported the gross receipts of Gios in order to improperly reduce the federal income taxes owed by Gios and PANOUSOS personally. In addition, PANOUSOS failed to report all of Gios’ business expenses in order to make the false gross receipts he reported appear more realistic.

7. PANOUSOS accomplished this by diverting some of Gios’ cash receipts for his own personal benefit, paying for some of Gios’ supplies with cash, and paying a portion of his employees’ wages in cash. PANOUSOS failed to report to his tax preparer the cash receipts he diverted to himself and most of the cash payments to suppliers and employees.

8. For tax years 2013 through 2015, PANOUSOS failed to report to his tax preparer, cash receipts totaling approximately \$1.9 million, and cash expenses of approximately \$803,000. As a result, during those years PANOUSOS avoided paying corporate and personal taxes totaling approximately \$387,180.

COUNT ONE

Aiding and Assisting in the Preparation of a False Tax Return
(26 U.S.C. § 7206(2))

The United States Attorney charges:

9. The United States Attorney re-alleges and incorporates by reference paragraphs 1-8 of this Information:

10. On or about June 25, 2015, in the District of Massachusetts, the defendant,

EMANUEL PANOUSOS,
a/k/a "MIKE PANOUSOS,"

did willfully aid and assist in, procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Income Tax Return for an S Corporation, Form 1120S, for Gios Foods, LLC, for the tax year 2014, which return was false and fraudulent as to a material matter in that it stated at Line 1a that gross receipts or sales were \$591,368, whereas in fact, as PANOUSOS then and there knew, the correct amount was at least \$1,278,556 during that year.

All in violation of Title 26, United States Code, Section 7206(2).

COUNT TWO

Aiding and Assisting in the Preparation of a False Tax Return
(26 U.S.C. § 7206(2))

The United States Attorney further charges:

11. The United States Attorney re-alleges and incorporates by reference paragraphs 1-8 of this Information:

12. On or about August 15, 2016, in the District of Massachusetts, the defendant,

EMANUEL PANOUSOS,
a/k/a "MIKE PANOUSOS,"

did willfully aid and assist in, procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Income Tax Return for an S Corporation, Form 1120S, for Gios Foods, LLC, for the tax year 2015, which return was false and fraudulent as to a material matter in that it stated at Line 1a that gross receipts or sales were \$777,064, whereas in fact, as PANOUSOS then and there knew, the correct amount was at least \$1,438,600 during that year.

All in violation of Title 26, United States Code, Section 7206(2).

ANDREW E. LELLING
United States Attorney

By:


MARK J. BALTHAZARD
Assistant U.S. Attorney

Dated: April 22, 2019